

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 17 1996

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 25 1996

The applicant **Barrick Bullfrog Inc.**, hereby make application for permission to change the **Point of Diversion and Manner of Use** of water heretofore appropriated under **Permit #51846**

1. The source of water is **Underground**
2. The amount of water to be changed **4.46**
3. The water to be used for **Mining, milling, dewatering and domestic**
4. The water heretofore permitted for **Mining, milling and domestic**
5. The water is to be diverted at the following point within the **SE¼ SW¼ Section 10, T12S, R46E, M.D.B.&M.** at a point from which the NW Corner of Section 15, T12S, R46E, M.D.B.&M. bears N 62°01'54" E at a distance of 1889.40'
6. The existing permitted point of diversion is located within **SE¼ NW¼ Section 31, T12S, R47E, M.D.B.&M.** at a point from which the NW corner of Section 31, T12S, R47E, M.D.B.&M. bears N 44° 55' 48" West at a distance of 2578.56'.
7. Proposed place of use **Sections 2,3,4,5,6,7,8,9,10, 11,12,13,14,15,16,17,18,19,30,31 T12S, R47E, M.D.B.&M.; Sections 1,2,3, T13S, R46E, M.D.B.&M.**
8. Existing place of use **Section 2,3,4,5,6,7,8,9,10,11,12,13,14,15, 16,17,18,19,20,21,22,23,24,25,26,27,28,33,34,35,36, T12S, R46E, M.D.B.&M.; Sections 7,18,19,30,31, T12S, R47E, M.D.B.&M.; Sections 1,2,3, T13S, R46E, M.D.B.&M**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drill well, pump and pipeline**
12. Estimated cost of works **\$400,000.00**
13. Estimated time required to construct works **Two months.**
14. Estimated time required to complete the application of water to beneficial use
15. Remarks: **Use of this well in combination with wells specified in Permits #51841-51848 and #51891 will not exceed 4.46 cfs, or 3200 acre feet per year. This application is for a temporary permit to replace Permit 61346T. A temporary permit under this application will provide time to file and process an application to change Permit #51846 permanently or until termination on January 1,2000.**

By **s/Rocky Chase, Agent**
P.O. Box 519
Beatty, NV 89003

Compared nsr/jk cl/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and manner of use of the waters of an underground source as heretofore granted under Permit 51846, is issued subject to the terms and conditions imposed in said Permit 51846, and with the understanding that no other rights on the source will be affected by the change proposed herein. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

Pursuant to NRS 534.120, the State Engineer declares mining and milling to be a preferred use of the limited resource within the Amargosa Desert Ground Water Basin as described in the State Engineer's Order No. 724, dated May 14, 1979.

This temporary permit is issued with the clear understanding that the State Engineer does not waive any right to regulate and restrict groundwater withdrawals under this temporary permit if withdrawals under existing rights increase or exceed the perennial yield of the groundwater basin.

The permittee will submit a report to the State Engineer on a semi-annual basis which contains all surface and groundwater measurements and water use data from each of the permittee's wells which includes the pumping under this temporary permit.

The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of data submitted as a result of the monitoring program on file with the State Engineer.

This temporary permit is further issued subject to the understanding between St. Joe Bullfrog, Inc. (Bond Gold) and the National Park Service dated September 16, 1988, as set forth in the document titled The National Parks Service Position with Respect to the Applications for Water in Amargosa Valley by St. Joe Bullfrog, Inc. (Bond Gold) on file in the office of the State Engineer in Permit 51841.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 51841, 51842, 51843, 51844, 51845, 51846, 51847, 51848, 58268, and 62520-T shall not exceed 3,200.0 acre-feet annually.

Any water not used for mining and milling must be injected back into the groundwater reservoir.

A monthly report will be submitted to the State Engineer within 10 days from the end of each month which shall include: the volume of water pumped from each well, the volume of water consumptively used for mining and milling uses projectwide, and the volume of water injected.

The manner of use of water under this permit is by nature a temporary use and Permits 51841, 51842, 51843, 51844, 51845, 51846, 51847, 51848, inclusive, and 58268, will expire at the termination of this project or on January 1, 2000, whichever occurs first.

All of the above stated conditions are issued subject to having no adverse impacts on existing rights.

This temporary permit is issued subject to the agreement between Beatty Water and Sanitation District and Lac Bullfrog Inc., dated May 28, 1993, on file in the office of the State Engineer.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 17, 1997 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.46 cubic feet per second, but not to exceed 3,200.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

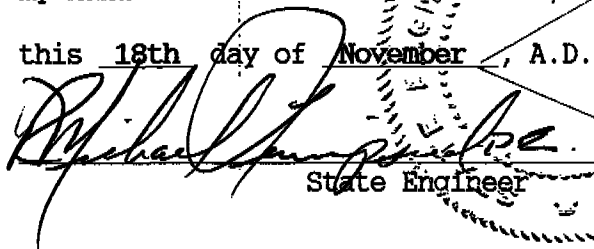
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 18th day of November, A.D. 1996


State Engineer

EXPIRED
DATE NOV 17 1997

